

19840626

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, JUNE 26, 1984

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Hedgecock at 10:03 a.m.

The meeting was recessed by Mayor Hedgecock at 10:30 a.m. to convene as the Special Joint City Council Meeting with the Redevelopment Agency and to reconvene as the City Council at 2:00 p.m.

The meeting was reconvened by Mayor Hedgecock at 2:08 p.m. with Council Member McColl not present, and immediately recessed to reconvene as the Special Joint City Council meeting. Mayor Hedgecock and the Council welcomed visiting international naval officers from Thailand and the Republic of Korea. The meeting was adjourned by Mayor Hedgecock at 3:08 p.m. to convene as the Committee of the Whole.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Hedgecock-present
 - (1) Council Member Mitchell-present
 - (2) Council Member Cleator-present
 - (3) Council Member McColl-excused by R-260979 (vacation)
 - (4) Council Member Jones-present
 - (5) Council Member Struiksma-present
 - (6) Council Member Gotch-present
 - (7) Council Member Murphy-present
 - (8) Council Member Martinez-present
- Clerk-Abdelnour (mp a.m.; jb p.m.)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Hedgecock-present
- (1) Council Member Mitchell-present
- (2) Council Member Cleator-present
- (3) Council Member McColl-not present
- (4) Council Member Jones-present
- (5) Council Member Struiksma-present
- (6) Council Member Gotch-present
- (7) Council Member Murphy-present

(8) Council Member Martinez-present

ITEM-310:

Three actions relative to authorizing suggestion awards and making a presentation to the following employees:

Subitem-A: (R-84-2238) ADOPTED AS RESOLUTION R-261049

Loren E. Southwick - Engineering & Development Department - \$2,500.

Douglas S. Johnson - General Services Department - \$1,995.

Paul G. Zielins - General Services Department - \$1,545.

Subitem-B: (R-84-2239) ADOPTED AS RESOLUTION R-261050

Jose A. Barron, Jr. - Park & Recreation Department - \$1,310.

Vincent DeLeva - General Services Department - \$840.

James A. Froslic - General Services Department - \$830.

Subitem-C: (R-84-2240) ADOPTED AS RESOLUTION R-261051

Marcie L. Lampkin and Joe E. Perry - General Services Department - \$500.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A009-098.)

MOTION BY GOTCH TO ADOPT THE RESOLUTIONS. Second by Martinez.

Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-311:

Two actions relative to authorizing suggestion awards to the following employees:

Subitem-A: (R-84-2241) ADOPTED AS RESOLUTION R-261052

Jerry Vistercil - General Services Department - \$295.

James A. Froslic - General Services Department - \$245.

Hubert E. Tipton - General Services Department - \$170.

Subitem-B: (R-84-2242) ADOPTED AS RESOLUTION R-261053

Warren J. Geiske - Fire Department - \$130.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A100-104.)

MOTION BY GOTCH TO ADOPT THE RESOLUTIONS. Second by Murphy.

Passed by the following vote: Mitchell-yea, Cleator-yea,

McColl-not present, Jones-yea, Struiksmayea, Gotch-yea,
Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-330:

Two actions relative to the 47th Street Underground Utility
District:
(Southeast San Diego Community Area. District-4.)

Subitem-A: (R-84-1872) ADOPTED AS RESOLUTION R-261054

Establishing an Underground Utility District to be known
and denominated as the 47th Street (Imperial Avenue to
Highway 94) Underground Utility District.

Subitem-B: (R-84-1874) ADOPTED AS RESOLUTION R-261055

Authorizing the expenditure in the amount of \$5,000 from
CIP-37-028, Federal Revenue Sharing Fund 18012 for the
purpose of providing funds for administering the 47th
Street (Imperial Avenue to Highway 94) Underground Utility
District and related work.

CITY MANAGER REPORT: The proposed district will underground
the overhead utility facilities on 47th Street between Imperial
Avenue and Highway 94. This project is scheduled in CIP for
Public Hearing in Fiscal Year 1984. It is estimated that
construction for the project will begin in Calendar Year 1985.
The formation of this district will require the affected
property owners to underground the portion of their utility on
their parcel prior to removal of the overhead utilities. A
typical cost range for a private contractor to perform this
conversion work on private property is \$500 - \$1,000. A future
resolution will establish the date for removal of overhead
utilities as the undergrounding work approaches completion.

FILE LOCATION: STRT K130

COUNCIL ACTION: (Tape location: A139-227.)

Hearing began at 10:14 a.m. and halted at 10:21 a.m.

Testimony in favor by E. G. Dewitt.

Testimony in opposition by R. Mastny.

MOTION BY JONES TO ADOPT THE RESOLUTIONS. Second by Martinez.

Passed by the following vote: Mitchell-yea, Cleator-yea,
McColl-not present, Jones-yea, Struiksmayea, Gotch-yea,
Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-331:

Proposal to approve the second amendment to the Pardee
North City West Development Agreement.

The approved Pardee North City West Development Agreement applies to approximately 847 acres of Pardee's property in North City West. The proposed second amendment to this agreement would add approximately 47.9 acres of additional property to the area subject to the agreement. The additional property to be added to the agreement is owned by Pardee Construction Co. and is located in the Employment Center Precise Plan area.

The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with the North City West Community Plan and Planned District Ordinance and in conformance with the Employment Center Precise Plan for the 20-year term of the agreement. Additional provisions are included in the draft development agreement.

The property subject to the proposed development agreement is located east of the existing alignment of El Camino Real and east of I-5 between Del Mar Heights and Carmel Valley Roads in the EC and VC Zones of the North City West Planned District. A brief legal description is as follows:
portions of Sections 18 and 19, Township 14 South, Range 3 West and portions of Sections 24 and 25, Township 14 South, Range 4 West, SBBM.
(District-1.)

Subitem-A: (R-84-2064) ADOPTED AS RESOLUTION R-261056
Adoption of a Resolution authorizing the City Auditor and Comptroller to establish the North City West Community Development Fund (Fund 39053).

Subitem-B: (O-84-231) INTRODUCED, TO BE ADOPTED JULY 9, 1984
Introduction of an Ordinance approving the second amendment to the development agreement.

FILE LOCATION: DEVL Pardee North City West Development Agreement

COUNCIL ACTION: (Tape location: A251-274.)

Hearing began at 10:23 a.m. and halted at 10:24 a.m.

MOTION BY MARTINEZ TO ADOPT THE RESOLUTION AND INTRODUCE THE ORDINANCE. Second by Struiksma. Passed by the following vote:

Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-332:

Proposal to approve the University Center Development Agreement.

The proposed development agreement would apply to approximately 46.4 acres in the University Community. The primary purpose of the development agreement is to provide for the funding of public facilities through the owner's participation in the community's public facilities financing plan. The owner would agree to pay its fair share of fees or contribute facilities in lieu of payment as required by the public facilities financing plan for the community. The developer would also provide public improvements, facilities and services as required by the tentative subdivision map. The development agreement would assure the owner that the property could be developed in conformance with the University Community Plan, the approved Planned Commercial Development Permit and Tentative Map PRD and TM-82-0544 for the approximate 15-year term of the agreement. Additional provisions are included in the draft development agreement.

The property subject to the proposed development agreement is located on the south side of La Jolla Village Drive between I-5 and Lebon Drive in the R-1-5 (proposed CO) Zone of the University Community. A brief legal description is as follows: Parcels 1, 2 and 3 of Parcel Map PM-11037. (District-1.)

Subitem-A: (R-84-2065) ADOPTED AS RESOLUTION R-261057

Adoption of a Resolution authorizing the City Auditor and Comptroller to establish the North University City Community Development Fund (Fund 39054).

Subitem-B: (O-84-232) INTRODUCED, TO BE ADOPTED JULY 9,
1984

Introduction of an Ordinance approving the development agreement.

NOTE: See Item 333.

FILE LOCATION: DEVL University Center Development Agreement

COUNCIL ACTION: (Tape location: A275-303.)

Hearing began at 10:24 a.m. and halted at 10:26 a.m.

MOTION BY MARTINEZ TO ADOPT THE RESOLUTION AND INTRODUCE THE ORDINANCE. Second by Struiksmma. Passed by the following vote:

Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-333:

Three actions relative to the final subdivision map of University Center, an 11-lot subdivision located southwesterly of La Jolla Village Drive and Lebon Drive: (University Community Area. District-1.)

Subitem-A: (R-84-2141) ADOPTED AS RESOLUTION R-261058

Authorizing the execution of an agreement with E.F. Hutton Life Insurance Company for the installation and completion of certain public improvements.

Subitem-B: (R-84-2140) ADOPTED AS RESOLUTION R-261059

Approving the final map.

Subitem-C: (R-84-2142) ADOPTED AS RESOLUTION R-261060

Authorizing the execution of a quitclaim deed to E.F. Hutton Life Insurance Company, quitclaiming all the City's right, title and interest in slope and drainage easements and revesting those access rights.

NOTE: The subdivider will finance and construct traffic signals at the following intersections: Nobel Drive and Lebon Drive; Lebon Drive and University Center Lane; La Jolla Village Drive and Lebon Drive; and Nobel Drive and Caminito Plaza Centro.

See Item 332.

FILE LOCATION:

Subitems A,B - SUBD; C - DEED F-2449

CONTFY84 DEEDFY84

COUNCIL ACTION: (Tape location: A306-312.)

MOTION BY GOTCH TO ADOPT THE RESOLUTIONS. Second by Martinez.

Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-334: CONTINUED TO JULY 10, 1984, 10:00 A.M.

Matter of the appeal of M & L Construction, by Morris Liebermensch, from the decision of the Planning Commission in denying Conditional Use Permit CUP-84-0080 which proposes a 14-unit senior citizen housing project in Zone R-1000 (formerly R-3). The project is located on the west side of Campus Street between Madison and Monroe Avenues in the Uptown Community Plan area and is further described as Lots 43 and 44 and a portion of Lots 42 and 45, Block 43, University Heights, D'Hemecourt Amended.
(CUP-84-0080. District-2.)

Subitem-A: (R-84-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-84-0080 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-84-)

Adoption of a Resolution granting or denying the appeal and the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM CUP-84-0080

COUNCIL ACTION: (Tape location: A113-135.)

MOTION BY STRUIKSMA TO CONTINUE FOR TWO WEEKS AT THE REQUEST OF GORDON L. GERSON OF M&L CONSTRUCTION. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-335: (R-84-2306) ADOPTED AS RESOLUTION R-261061

Approving the Fiscal Year 1984-1985 proposed City budget for direct personnel costs incurred in support of the Gaslamp Quarter Project, submitting said budget to the Redevelopment Agency of the City of San Diego.
(Centre City/Gaslamp Quarter Historic District Community Area. District-8.)

CITY MANAGER REPORT: To effect implementation of the adopted Gaslamp Quarter Redevelopment Plan an operating agreement between the Redevelopment Agency and the City of San Diego was adopted on August 23, 1983. In accordance with the terms of

this agreement, the City submits annually to the Agency a proposed budget concerning City costs to be incurred in support of the project. The proposed Budget (see Exhibit I) depicts \$66,125 of direct personnel costs to be incurred during fiscal year 1984-85. All direct costs are incurred by the Planning Department and the Economic Development Division of the Property Department.

NOTE: See the Redevelopment Agency agenda of 6/25/84 for a companion item.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A695-B040.)

MOTION BY MARTINEZ TO ADOPT. Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-336: (R-84-2156) CONTINUED TO JULY 24, 1984 AT 10:30 A.M.

Directing and authorizing the City Auditor and Comptroller, or his designee, to incorporate language within the proposed Ordinance adopting the Annual Budget for the Fiscal Year 1984-85, and appropriating the necessary monies to operate the City of San Diego for said fiscal year that establishes the Dells and Mount Hope Project Fund for the deposit of CDBG Program income from disposition proceeds and other revenues generated by the above named projects, and authorizes the City Auditor and Comptroller to transfer such proceeds and revenues to the Redevelopment Agency of the City of San Diego.

(See memorandum from Reese A. Jarrett, dated 6/19/84.)

NOTE: See Item 601 on the Special Joint Redevelopment Docket of June 26, 1984.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A593-695 & D010-085.)

MOTION BY JONES TO CONTINUE TO JULY 24, 1984. Second by Murphy. Trilled to 2:00 p.m. by Mayor Hedgecock to hear a report from the Auditor and Comptroller on the possibility of continuing the item beyond July 1, 1984.

MOTION BY JONES TO CONTINUE TO JULY 24, 1984 AT 10:30 A.M.

Second by Murphy. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmayea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-337: (O-84-251) ADOPTED AS ORDINANCE O-16231

(New Series)

Second public hearing in the matter of:

Amending Ordinance O-16007 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1983-84 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-16007-1, as amended and adopted therein, by exempting one Council Representative II position from the classified service in the Department of Executive Services (011), pursuant to Charter Section 117; establishing a salary rate therefor.

NOTE: See Item 200 on the Regular Docket of June 26, 1984.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A317-323.)

MOTION BY JONES TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksma-yea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-338: (R-84-1956) ADOPTED AS RESOLUTION R-261064

Considering the protests and determining that it would be in the public interest to acquire 72.7 acres of San Clemente Addition A for the San Diego Open Space Park Facilities District No. 1, under Resolution of Intention R-260797, adopted May 29, 1984; authorizing the City Manager to offer to purchase said property; authorizing and approving the expenditure of not to exceed \$4,900,000 as payment for said property and related costs from Open Space Park District Bond Fund 79102; authorizing the City Manager to accept the deed to said property without further Council action.

(Clairemont Mesa Community Area. District-6.)

CITY MANAGER REPORT: San Clemente Addition A is the number 30 priority, in Category B, on the Council's adopted open space retention list. This land, which consists of 4 parcels totalling 72.7 acres, is located to the south and west of Highway 52 and Interstate 805. These parcels are at the east end, and adjacent to, the 394-acre Marian Bear Park, an open space park in San Clemente Canyon.

On November 21, 1983, Council adopted Resolution R-259663, which approved an acquisition plan including these parcels, along with funds to have them appraised for purposes of acquisition for open space. This request is for \$4,900,000 which would provide

funds to purchase these parcels at fair market value plus funds to cover title, escrow, and other miscellaneous costs.

FILE LOCATION: STRT OS 1

COUNCIL ACTION: (Tape location: E101-219

Hearing began at 3:00 p.m. and halted at 3:08 p.m.

MOTION BY GOTCH TO ADOPT AS AMENDED BY SETTING A \$5,000,000 MAXIMUM ON THE TOTAL EXPENDITURE FOR SAN CLEMENTE CANYON ADDITION A. Second by Jones. Passed by the following vote:

Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-not present.

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ITEM-S500: (R-84-2264) ADOPTED AS RESOLUTION R-261065

The annual meeting of the member of the Southeast Economic Development Corporation (SEDC).

(Appointments to the SEDC Board of Directors.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D223-E100.)

MOTION BY MURPHY TO ADOPT THE RESOLUTION ELECTING JOHN D. THELAN, LEON A. BRADY AND MORLEY GOLDEN. Second by Gotch.

Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-UC-1: (R-84-2269) ADOPTED AS RESOLUTION R-261062

A Resolution presented to the City Council as UNANIMOUS CONSENT.

Approving the transfer of \$9,000 from Airports Unallocated reserve fund to Airports salaried wages for overtime pay and vacation payoff resulting from Operations staff resignations and retirements in FY1984.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A324-331.)

MOTION BY GOTCH TO ADOPT. Second by Martinez. Passed by the following vote: Mitchell-yea, Cleator-yea, McColl-not present, Jones-yea, Struiksmayea, Gotch-yea, Murphy-yea, Martinez-yea, Mayor Hedgecock-yea.

ITEM-CS-1: (R-84-2334) ADOPTED AS RESOLUTION R-261063

A Resolution adopted by the City Council in Closed Session on June 26, 1984:

Authorizing the City Manager to pay the total sum of \$5,776.25 in settlement of Municipal Court Case No. 344256, Mark Francis Manning v. City of San Diego et al., resulting from personal injuries to Mark Manning; authorizing the Auditor and Comptroller to issue one check in the amount of \$5,776.25 made payable to Mark F. Manning and his attorney, William R. Fuhrman, in full settlement of the lawsuit and of all claims.

FILE LOCATION: MEET

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ADJOURNMENT:

By common consent, the meeting was adjourned by Mayor Hedgecock at 3:08 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: E220).

MEETING HEADING